

AMENDED IN SENATE MARCH 13, 2003

AMENDED IN SENATE MARCH 6, 2003

SENATE BILL

No. 116

**Introduced by Senators Dunn, Alpert, Figueroa, Romero, Scott,
Soto, and Speier**

(Coauthors: Assembly Members Diaz, Harman, Lieber, and
Lowenthal)

February 3, 2003

An act to amend Section 798.51 of, *and to add Section 799.10 to*, the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 116, as amended, Dunn. Mobilehome parks: political signs.

Existing law prohibits a mobilehome park rental agreement, rule, or regulation from denying a homeowner or resident the right to invite candidates for public office to meet and speak with homeowners and residents, as specified, or from canvassing or petitioning homeowners and residents with regard to the initiative, referendum, or recall processes, as specified.

This bill would ~~prohibit a mobilehome park rental agreement, rule, or regulation from denying a homeowner or resident the right to display a political or campaign sign relating to a candidate for election to public office or to the initiative, referendum, or recall processes in the window or on the side of a mobilehome, or within the site on which the home is located if the sign does not exceed 6 square feet in size~~ *specify the circumstances under which a homeowner or resident of a mobilehome park may display a political campaign sign within the mobilehome site. The bill would, among other things, allow the management of a*

mobilehome park to impose rules limiting the size of a campaign sign and the duration for which a sign may be displayed before and after an election. This bill would also make technical changes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.51 of the Civil Code is amended to
2 read:

3 798.51. (a) No provision contained in any mobilehome park
4 rental agreement, rule, or regulation shall deny or prohibit the right
5 of any homeowner or resident in the park to do any of the
6 following:

7 (1) Peacefully assemble or meet in the park, at reasonable hours
8 and in a reasonable manner, for any lawful purpose. Meetings may
9 be held in the park community or recreation hall or clubhouse
10 when the facility is not otherwise in use, and, with the consent of
11 the homeowner, in any mobilehome within the park.

12 (2) Invite public officials, candidates for public office, or
13 representatives of mobilehome owner organizations to meet with
14 homeowners and residents and speak upon matters of public
15 interest, in accordance with Section 798.50.

16 (3) Canvass and petition homeowners and residents for
17 noncommercial purposes relating to mobilehome living, election
18 to public office, or the initiative, referendum, or recall processes,
19 at reasonable hours and in a reasonable manner, including the
20 distribution or circulation of information.

21 ~~(4) Display a political or campaign sign relating to a candidate~~
22 ~~for election to public office or to the initiative, referendum, or~~
23 ~~recall processes in the window or on the side of a mobilehome, or~~
24 ~~within the site on which the home is located or installed, so long~~
25 ~~as the sign does not exceed six square feet in size.~~

26 (b) A homeowner or resident may not be charged a cleaning
27 deposit in order to use the park recreation hall or clubhouse for
28 meetings of resident organizations for any of the purposes stated
29 in Section 798.50 and this section, whether or not guests or visitors
30 from outside the park are invited to attend the meeting, if a
31 homeowner or resident of the park is hosting the meeting and all
32 homeowners or residents of the park are allowed to attend.



(c) A homeowner or resident may not be required to obtain liability insurance in order to use common area facilities for the purposes specified in this section and Section 798.50. However, if alcoholic beverages are to be served at any meeting or private function, a liability insurance binder may be required by the park ownership or management. The ownership or management of a mobilehome park may prohibit the consumption of alcoholic beverages in the park common area facilities if the terms of the rental agreement or the rules and regulations of the park prohibit it.

(d) A homeowner, organization, or group of homeowners using a recreation hall or clubhouse pursuant to this section shall be required to adhere to any limitations or restrictions regarding vehicle parking or maximum occupancy for the clubhouse or recreation hall.

(e) A homeowner or resident who displays a political campaign sign relating to a candidate for election to public office or to the initiative, referendum, or recall process may display the sign in the window or on the side of a manufactured home or mobilehome, or within the site on which the home is located or installed. The park management may impose reasonable rules and regulations limiting the size of the face of a campaign sign to a maximum of six square feet in size and limiting display of a campaign sign to a minimum period of time that extends from 90 days prior to an election to 15 days following the election.

SEC. 2. Section 799.10 is added to the Civil Code, to read:

799.10. A resident displaying a political campaign sign relating to a candidate for election to public office or to the initiative, referendum, or recall process may display the sign in the window or on the side of a manufactured home or mobilehome, or within the site on which the home is located or installed. The ownership or management may impose reasonable rules and regulations limiting the size of the face of a campaign sign to a maximum of six square feet in size and limiting display of a campaign sign to a minimum period of time that extends from 90 days prior to an election to 15 days following the election.

SEC. 3. *It is the intent of the Legislature that enactment of this bill not affect any other form of political expression by a homeowner or resident of a mobilehome park where that*

1 *expression is not associated with an election or political*
2 *campaign.*

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